

# SENATE BILL 787

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CF HB 511

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By: **Senators Raskin, Forehand, Kelley, Klausmeier, Madaleno, and Manno**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Juvenile Services – Services and Programs for Females**

3 FOR the purpose of requiring the Department of Juvenile Services to ~~serve children in~~  
4 ~~the juvenile services system with programming that provides females with~~  
5 ~~certain services and programs; requiring the Department to provide a certain~~  
6 report to the General Assembly on or before a certain date; requiring the report  
7 to include certain information; and generally relating to juvenile services.

8 ~~BY repealing and reenacting, with amendments,~~  
9 ~~Article – Human Services~~  
10 ~~Section 9-238.1~~  
11 ~~Annotated Code of Maryland~~  
12 ~~(2007 Volume and 2010 Supplement)~~

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That ~~the Laws of Maryland read as follows:~~

15 **~~Article – Human Services~~**

16 ~~9-238.1.~~

17 (a) ~~The Department shall serve children in the juvenile services system with~~  
18 ~~programming that:~~

19 (1) ~~ensures the safety of the community and the children served;~~

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1           ~~(2) holds delinquent children accountable to victims and communities;~~

2           ~~(3) assists children to develop competencies to become successful~~  
3 ~~members of society;~~

4           ~~(4) delivers services on a regional basis through at least four~~  
5 ~~operational regions;~~

6           ~~(5) (i) ensures that each committed facility owned by the~~  
7 ~~Department serves no more than 48 children at one time; and~~

8                     ~~(ii) ensures that each committed facility licensed by the~~  
9 ~~Department serves no more than 48 children at one time, unless the Secretary finds~~  
10 ~~good cause for a committed facility licensed by the Department to serve more than 48~~  
11 ~~children at one time; [and]~~

12           ~~(6) uses detention and committed facilities that are operationally~~  
13 ~~separate from each other and that do not share common program space, including~~  
14 ~~dining halls and educational or recreational facilities; AND~~

15           ~~(7) PROVIDES FEMALES WITH A RANGE AND QUALITY OF SERVICES~~  
16 ~~AND PROGRAMS SUBSTANTIALLY EQUIVALENT TO THOSE OFFERED TO MALES.~~

17           ~~(b) A region shall:~~

18                     ~~(1) include at least one secure facility used solely for children pending~~  
19 ~~court disposition and children awaiting placement after disposition;~~

20                     ~~(2) except for specialized services as provided in subsection (c) of this~~  
21 ~~section, include a number of committed facilities estimated to be necessary to~~  
22 ~~diagnose, care for, train, educate, and properly rehabilitate every child from the region~~  
23 ~~in the custody of the Department; and~~

24                     ~~(3) include a nonpublic facility only if the Department determines that~~  
25 ~~the facility:~~

26                             ~~(i) has provided or will efficiently and effectively provide~~  
27 ~~adequate care for the children placed in the facility; and~~

28                             ~~(ii) has demonstrated or will demonstrate a record of success~~  
29 ~~based on standards promulgated by the Department.~~

30           ~~(e) The Department may place a child into a committed facility outside the~~  
31 ~~child's region if a determination is made by the Department that specialized services~~  
32 ~~for the child require the placement in the best interests of the child.~~

1       ~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

2           (a)    On or before ~~January 1, 2012~~ December 1, 2011, the Department of  
3 Juvenile Services shall report to the General Assembly, in accordance with § 2-1246 of  
4 the State Government Article, on the manner in which the Department will use  
5 existing resources to ensure that females receive services that are substantially  
6 equivalent to those offered to males in fiscal 2013 and subsequent years.

7           (b)    The report shall include statewide and regional information on the  
8 utilization of:

9                   (1)    prevention and diversion services;

10                   (2)   alternatives to detention, including day and evening reporting and  
11 shelter care;

12                   (3)   the continuum of services for those committed to the Department  
13 for probation or residential placement, including evidence-based programs; and

14                   (4)   educational and vocational training services.

15       SECTION ~~3~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take  
16 effect July 1, 2011.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.